

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-FIFTH LEGISLATURE

OF THE

STATE OF MAINE.

1891.

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1891.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1891.

bell, and for constructing and maintaining public sewers within said corporation limits.' CHAP. 140

Approved March 4, 1891.

Chapter 140.

An Act to incorporate the South Gouldsboro Water Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. H. W. Jordan, Luther M. Merrill, Horace A. Jordan, James C. Hammond, their associates, successors and assigns are hereby made a corporation under the name of the South Gouldsboro Water Company, for the purpose of supplying the village of South Gouldsboro, in the town of Gouldsboro, county of Hancock and state of Maine, with pure water for domestic, sanitary, private and public uses including the extinguishment of fires.

Corporators,

—corporate name.

SECT. 2. Said corporation may take and hold by purchase or otherwise, real or personal estate necessary and convenient for the purposes aforesaid.

May take and hold real estate.

SECT. 3. Said corporation is hereby authorized for the purposes aforesaid, to take, collect, store, flow, use, detain, distribute and convey to the village of South Gouldsboro, in said town of Gouldsboro, the waters of Lilly pond, so called, in said town of Gouldsboro, and the waters flowing into said pond and the effluence from the same and all water rights connected therewith, and any springs or streams, or other water sources in the vicinity of said pond; and it is also authorized to locate, construct and maintain dams, reservoirs, locks, gates, sluices, aqueducts, pipes, conduits, stand pipes, hydrants and all other necessary structures therefor.

May take water from Lilly pond.

—construct dams, etc.

SECT. 4. Said corporation is hereby authorized to lay, construct and maintain in, under, through, along and across the highways, ways, streets, bridges and railroads in said town of Gouldsboro, all such sluices, aqueducts, pipes, hydrants and structures as may be necessary for the purposes of the corporation, and to take up, replace and repair the same, under such reasonable restrictions as the selectmen of said town of Gouldsboro may impose. Said corporation shall be responsible for all legal damages to corporations,

May lay pipes along highways, etc.

—shall be responsible for all damages.

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persons and property, occasioned by the use of such highways, ways and streets, and shall further be liable to pay to said town of Gouldsboro all sums recovered against said town for damages arising from obstructions or defects of said streets and ways, caused by said corporation, and for all expenses, including reasonable counsel fees incurred in defending such suits with interest on the same.

May cross any private or public sewer.

SECT. 5. Said corporation shall have power to cross any water course, private or public sewer, or to change the direction thereof, where necessary for the purposes of its incorporation, but in such manner as not to obstruct or impair the use thereof; and said corporation shall be liable for any injury caused thereby. Whenever said corporation shall lay down any of its works in any highway, way or street, or make any alterations or repairs upon its works in any highway, way or street, it shall cause the same to be done with as little obstruction to public travel as may be practicable, and shall at its own expense, without unnecessary delay cause the earth and pavements removed by it to be replaced in proper condition.

—shall not obstruct travel.

May take lands for flowage.

SECT. 6. Said corporation may take and hold any lands necessary for flowage, dams, reservoirs, locks, gates, hydrants and other necessary structures, and may locate, lay and maintain its sluices, aqueducts, pipes, hydrants and other structures, in, over and through any lands, and may excavate in and through such lands for such location, construction and maintenance. It may enter upon such lands to make its surveys and locations, and shall file in the registry of deeds, in said county of Hancock, plans of such locations and lands showing the property taken, and within thirty days thereafter, it shall publish notice of such filing in some newspaper published in said county, such publication to be continued three weeks successively. Such land or other property shall be deemed to have been taken at the date of such filing. Said corporation however may make all needful explorations and surveys on any lands prior to such filing.

—shall file plans of location in registry of deeds in Hancock county.

Liability, for damages.

SECT. 7. Said corporation shall be held liable to pay all legal damages that may be sustained by any person, or other corporation, by the taking of any lands, water or other property, as aforesaid, or by flowage, or by excavating through any lands for the purposes of its incorporation, and also damages for any other injuries resulting from said acts. And if any per-

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son, or other corporation sustaining damage as aforesaid and said corporation cannot mutually agree upon the sum to be paid therefor, then such damage may be ascertained in the same manner and under the same conditions, restrictions and limitations as are by law prescribed in the case of damages by the laying out of railways.

—damages, how ascertained.

SECT. 8. Said corporation is hereby authorized to make contracts with the United States, with other corporations, and with the inhabitants of the town of Gouldsboro, or any part thereof, and with any other persons for the purpose of supplying water as contemplated by this act, and may supply water to steam and sailing vessels resorting to said South Gouldsboro, and fix and collect rates for the use of water so supplied. And said town of Gouldsboro is hereby authorized, by its selectmen, to enter into contracts with said corporation for a supply of water for any purposes mentioned in this act, and for such exemption from public burden as said town and said corporation may agree, which shall be legal and binding upon all parties thereto when made.

May make contracts to supply water.

Town, may make contracts for water, and exempt from taxation.

SECT. 9. Whoever shall willfully or maliciously corrupt the waters of said pond or any tributaries thereto, or any water used by said corporation whether frozen or not, or in any way render such waters impure, or whoever shall willfully or maliciously injure any of the works of said corporation, shall be punished by a fine not exceeding one thousand dollars or by imprisonment not exceeding two years, and shall be liable to said corporation for three times the actual damages to be recovered in any proper action.

Penalty, for corrupting water or injuring works.

SECT. 10. The capital stock of said corporation shall be fifteen thousand dollars, which may be increased to one hundred thousand dollars, by a vote of said corporation at any meeting of the stockholders, and said stock shall be divided into shares of twenty-five dollars each.

Capital stock.

SECT. 11. Said corporation may issue its bonds for the operation or operation of its works, of any and all kinds, upon such rates and time as it may deem expedient, not exceeding, however, the sum of which capital stock at the time of such issue, and secure the same by a mortgage of the property and franchise of the corporation.

May issue bonds, and mortgage property.

SECT. 12. The first meeting of said corporation may be called by a written notice thereof, signed by any one incorporator herein named, served upon each corporator by giving

First meeting, how called.

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him the same in hand, or by leaving the same at his last and usual place of abode, seven days before the time of meeting.

SECT. 13. This act shall take effect when approved.

Approved March 4, 1891.

Chapter 141.

An Act authorizing the town of Kittery to erect a free bridge across Spruce Creek, or to purchase any existing bridge across said creek in said town of Kittery.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Town, authorized to erect bridge across Spruce creek.

SECT. 1. The town of Kittery, in the county of York, is hereby authorized to erect a free bridge across Spruce Creek, or to purchase any existing bridge across said creek, in said town of Kittery.

SECT. 2. This act shall take effect when approved.

Approved March 4, 1891.

Chapter 142.

An Act additional to and amendatory of chapter forty-seven of the Private and Special Laws of eighteen hundred and eighty-seven, to amend the charter of the Waterville and Fairfield Railroad Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Company, authorized to extend its railroad.

—route.

—assent of municipal officers, required.

SECT. 1. The Waterville and Fairfield Railroad Company, a corporation established by law, is hereby authorized to construct, maintain and operate a railroad from some convenient point in its present railroad in the city of Waterville, through the towns of Winslow and Vassalboro, to the village of North Vassalboro, in the town of Vassalboro ; and for this purpose it may lay its tracks across Ticonic and Winslow bridges over the Kennebec and Sebasticook rivers, and upon and over such streets, town and county roads in said towns of Winslow and Vassalboro, as from time to time may be fixed upon and determined by the municipal officers of said towns of Winslow and Vassalboro, and assented to in writing by said corporation ; and to operate such extended railroad by animal or electric power ; with all the rights, powers, privileges and